



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel Mercola *et al.*

Application No.: 10/032,260

Filed: 20 December 2001

Title: "ISOLATION AND IDENTIFICATION OF CONTROL SEQUENCES  
AND GENES MODULATED BY TRANSCRIPTION FACTORS"

PETITION FOR PETITION UNINTENTIONAL DELAYED CLAIM OF PRIORITY

Mail Stop: Patent Application  
Commissioner for Patents  
U.S.P.T.O.  
Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.78(a)(2)(ii), Applicants hereby petition under 37 C.F.R. §1.17(t) for acceptance of an unintentional delayed claim for priority under 35 U.S.C. §120 to allow entry of the amendment to the specification inserting the section "Reference to Related Application" indicating that the application identified above is a continuation in part of patent application serial number 09/270,391 filed 16 March 1999 now United States patent 6,410,233.

A check in the amount of thirteen hundred and eighty-five dollars to cover the petition fee and terminal disclaimer fee is enclosed.

Respectfully submitted,

Date: 4 March 2005

David B. Waller  
Registration No. 43,978

Please send all correspondence to:

David B. Waller  
5677 Oberlin Drive, Suite 214  
San Diego, CA 92121  
Phone: (858) 457-2014  
Facsimile: (858) 457-2308  
E-mail: dwaller@starnetdial.net